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## **STRATEGIC PLANNING WORK PROGRAMME: AUGUST 2018 UPDATE**

### **1 PURPOSE OF REPORT**

- 1.1 This report provides Members with a brief update on how key pieces of work, including the development of policy documents and supporting evidence, are currently progressing. It aims to give a broad indication of the projected work programme for the Council's new Local Plan in particular, and provide an update on the preparation of a Joint Strategic Plan for South Essex.

### **2 INTRODUCTION**

- 2.1 The latest plan-making timetable adopted by the Council on 17 July 2018 identifies the key milestones for the development of the Council's new Local Plan and the South Essex Joint Strategic Plan. These are the two main planning policy documents which the team will be focussing on delivering over the next three years. Such documents must be underpinned by robust, proportionate evidence. These technical background documents are important in supporting local decision-making and emerging policy proposals. The team are also responsible for commissioning, project managing and generally overseeing the preparation of such technical documents to ensure that they are independent, comply with relevant guidance and are based on appropriate local-level data.
- 2.2 This report outlines these two policy documents, and the key evidence and work tasks that the team are responsible for undertaking to provide Members with a comprehensive update to note.

### **3 NEW LOCAL PLAN**

- 3.1 The review of the adopted local development plan commenced in 2015 with a new 'call for sites'. Since then the team have been working on a number of technical documents to support the new Local Plan. The local planning authority needs to be mindful of legislative and policy changes which can have a significant impact on plan-making and decision-taking. Most recently, the Government consulted on comprehensive changes to the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) to reflect incremental changes and proposals since 2011, when the NPPF came into force. Following consultation earlier in 2018, the revised NPPF and PPG were published on 24 July 2018. Members can expect training on these changes in due course.

#### **Local Development Scheme (LDS)**

- 3.2 The most recent LDS (adopted 17 July 2018) provides the framework for the preparation of the new Local Plan and a Joint Strategic Plan. The team will work towards this timetable and keep its contents under review. It is intended

that the team will regularly review this timetable, as required by national policy, and report back to the Sub-Committee, when appropriate.

**Issues and Options Document: Consultation Feedback Report**

- 3.3 An extended 12 week consultation on the Issues and Options Document closed on 7 March 2018. The team received responses from over 650 individuals and organisations through various media (online, email and letter) which have been processed. The issues that have been raised by these respondents continue to be extracted and an officer response provided, wherever possible, setting out how these may be addressed as the new Local Plan progresses. The Consultation Feedback Report will categorise the comments received by the type of respondent (residents, statutory consultees, agents, developers etc.). This report is expected to be completed by the team and presented to the Sub-Committee in September 2018.

**Communication and Engagement**

- 3.4 The Strategic Planning team are keen to keep interested individuals and organisations up to date with the latest plan-making information. We have recently commenced a 'cleanse' of our planning policy mailing list to comply with GDPR, and are looking to improve our communication using the Council's 'Tell Me More' service through more regular e-bulletins to over 6,000 current subscribers. This is likely to include information on adopted documents, committee meetings and forthcoming consultations.

**4 SOUTH ESSEX JOINT STRATEGIC PLAN**

- 4.1 The South Essex authorities have recognised a need to work collaboratively to address duty to cooperate matters and the future cross boundary challenges that the area faces in relation to expected growth ambitions of Central Government.
- 4.2 On 10 January 2018 the South Essex authorities (Basildon Borough, Brentwood Borough, Castle Point Borough, Rochford District, Southend Borough and Thurrock Borough) and Essex County Council signed a Memorandum of Understanding (MoU) on strategic place shaping. This MoU identified an intention to establish the 'Association of South Essex Local Authorities' (ASELA) to deliver a South Essex 2050 Vision and set principles for joint working.
- 4.3 This has since been followed by a Joint Statement of Common Ground between the South Essex authorities, which was noted at Full Council on 17 July 2018. The Council's Local Development Scheme (LDS) was also taken to this meeting, setting out a revised timetable for the new Local Plan and for the South Essex Joint Strategic Plan.
- 4.4 As per the Council's latest LDS, a first stage South Essex Joint Strategic Plan is expected to be published for public consultation in Spring 2019.

**5 STATEMENT OF COMMUNITY INVOLVEMENT (SCI)**

- 5.1 The Council's Statement of Community Involvement (SCI) to support the preparation of the new Local Plan was adopted on 19 July 2016, following a period of public consultation. Since the SCI was adopted, however, there have been legislative changes which have had a minor impact on its contents.
- 5.2 The Neighbourhood Planning Act 2017 has introduced further guidance on the detail which SCIs should include on Neighbourhood Planning. The amendments required to comply with the Act are not onerous but require an addendum to the 2016 SCI to be prepared. This addendum will be presented to the Sub-Committee in September 2018.
- 5.3 Alongside the above amendments, the team has been working with the other South Essex authorities to draft a common addendum to each individual SCI to reflect the consultation and engagement needed to support the preparation of a South Essex Joint Strategic Plan. It is intended that this further addendum will be also be presented to the Sub-Committee in September 2018 and consulted on in conjunction with the Neighbourhood Planning addendum.

**6 NEIGHBOURHOOD PLANNING**

- 6.1 The Canewdon and Wallasea Neighbourhood Area was designated on 2 March 2016. Since then Canewdon Parish Council have been working with the local community to develop its Neighbourhood Plan. The team have been supporting the Parish Council on its plan-making, as required.
- 6.2 The team have also sought to engage with other Parish/Town Councils who have expressed an interest in preparing a Neighbourhood Plan, however, no further Neighbourhood Area applications have been made to the Council.

**7 MONITORING**

- 7.1 The team are responsible for monitoring commencements and completions of new homes to inform the five year housing land supply. As required by the current local development plan, this monitoring also extends to a range of other data, which is set out in the Authority Monitoring Report.
- 7.2 The revised NPPF is expected to introduce more stringent monitoring measures in relation to housing delivery (Housing Delivery Test) as well as a national method for calculating housing need. The team is required to prepare an Action Plan to demonstrate how the Council will seek to improve housing delivery rates in the future. The Housing Delivery Test will be published in due course.
- 7.3 S106 agreements are also routinely monitoring by the team, alongside the Corporate S106 Group, which comprises strategic planning, legal and finance

representatives. This monitoring includes identifying proximity to triggers, monies owed, and deadlines for expenditure.

## **8 STATUTORY REGISTERS**

- 8.1 The team are responsible for maintaining both the Brownfield Land Register and the Self and Custom Build Register.

### **Brownfield Land Register**

- 8.2 In January 2018, the Council published a Part 1 Brownfield Land Register in line with the Town and Country Planning (Brownfield Land Register) Regulations 2017. The Brownfield Land Register comprises a list of sites that meet the definition of Previously Developed Land, are capable of supporting at least five dwellings, and are considered broadly suitable, available and achievable for residential development. Presence on a Part 1 Brownfield Land Register does not constitute a formal planning permission and any development would still require a planning application to be considered; the purpose of a Part 1 Brownfield Land Register is simply to identify and highlight potential opportunity sites within the District. The Brownfield Land Register 2018 identified 22 sites capable of delivering between 745 and 841 dwellings over the next 15 years.
- 8.3 The Council are obliged to review the Brownfield Land Register at least annually, and an updated Brownfield Land Register will be prepared for Winter 2018.

### **Self and Custom Build Register**

- 8.4 In accordance with the Self-build and Custom Housebuilding Act 2015, as amended, the Council holds and maintains a register of individuals and organisations seeking to acquire serviced plots of land for self-build and custom housebuilding. The purpose of the register is for the Council to understand the level of demand for self- and custom-build housing within the District. When a new application is received, officers must ensure that the applicant meets the criteria set out in the Self-build and Custom Housebuilding (Register) Regulations 2016 before adding them to the register. As of July 2018, the Council has 51 individuals or organisations on its Self and Custom Build Register.

## **9 EVIDENCE BASE DOCUMENTS**

- 9.1 Building on previous technical background documents that Members have noted, the team has commissioned a number of pieces of evidence to support plan-making. As a Council we frequently work in collaboration with other authorities in South Essex to deliver evidence base documents which addresses cross boundary issues and provides value for money through economies of scale.

**Rochford District Local Wildlife Sites Review**

- 9.2 Places Services were commissioned in 2017 to undertake a review of the district's designated Local Wildlife Sites (as designated in the 2014 Allocations Plan) as the previous assessment dates back to 2007. This assessment also includes sites which were previously de-designated and sites which could potentially be designated. Once completed, this review will be taken to the next available Sub-Committee.

**South Essex Playing Pitch Strategy / Built Facility Strategy**

- 9.3 The South Essex authorities of Rochford, Basildon, Castle Point and Southend-on-Sea have jointly commissioned Knight Kavanagh Page to prepare a Playing Pitch and Built Facility Strategies, with support and guidance from Sport England. The purpose of these strategies is to gather and analyse qualitative and quantitative information about existing playing pitch and built facility provision in each authority area, and assess the adequacy of existing provision to meet projected future demand. The strategies will make recommendations on how each authority should plan for its facilities in the future, from both a planning policy and operational perspective, and how future facility needs could be met and funded.
- 9.4 The strategies will provide recommendations on both a sport-by-sport and facility-by-facility basis. A separate overarching South Essex strategy is also being developed alongside the local authority strategies which will consider strategic cross-boundary issues and identify actions that would be better dealt with collaboratively between the local authorities. This might include where a cumulatively large shortfall in supply is identified across the sub-region but there is only a minor shortfall in each constituent authority area. To date, officers have been part of a project steering group and have offered feedback on drafts, with additional input from officers in the Leisure and Open Spaces teams. The final strategies are estimated for completion in Autumn 2018.
- 9.5 Separate Playing Pitch and Built Facility strategies are being developed for Thurrock and Brentwood Councils which will acknowledge and complement the strategies being developed by Knight Kavanagh Page.

**Rochford District and Southend Borough Landscape Assessment**

- 9.6 Chris Blandford Associates have been commissioned by Rochford District and Southend Borough Council to undertake a detailed assessment of the landscape in south east Essex, assessing its character, sensitivity and capacity for change. This assessment will be in line with relevant guidance and best practice, and will inform the Green Belt Assessment. It is expected that the outputs from this assessment will be complete in late 2018.

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**Rochford District and Southend Borough Green Belt Assessment**

- 9.7 The Council, jointly with Southend Borough Council, appointed Land Use Consultants (LUC) to undertake a comprehensive assessment of the Metropolitan Green Belt in line with relevant guidance and best practice. This will comprise a two staged assessment consisting of a strategic assessment followed by a more detailed one. It is expected that the outputs from this assessment will be complete in late 2018.

**South Essex Strategic Growth Locations Study**

- 9.8 ASELA have appointed Peter Brett Associates to undertake a Strategic Growth Locations Study to inform the development of the South Essex Joint Strategic Plan and the respective individual Local Plans which will sit beneath it.
- 9.9 The purpose of the study is to assess strategic options for delivering a supply of housing across South Essex and to identify the likely impacts, risks, infrastructure costs and policy implications of pursuing each of these options. Officers are supporting this work by providing information on housing supply and land availability. This study is estimated for completion in Autumn 2018.

**Rochford District Strategic Housing and Employment Land Availability Assessment (SHELAA)**

- 9.10 The latest SHELAA was published alongside the Issues and Options Document in December 2017. Since the cut off date for this iteration in March 2017 and the close of the most recent 'call for sites' on 31 May 2018, there have been 63 additional sites submitted for consideration. This has prompted the need to commence a review of the SHELAA to ensure that it reflects the most up to date position of available, achievable and developable land in the district. This review is expected to be finalised later in 2018, subject to resources.

**Essex Recreation disturbance and Avoidance Mitigation Strategy (RAMS)**

- 9.11 The Council, in partnership with the nine other coastal authorities in Essex and Natural England, has recently commissioned Place Services to prepare a Habitat Regulations Assessment Recreational disturbance Avoidance and Mitigation Strategy (RAMS) for the Essex Coast. In support of this project, a Memorandum of Understanding (MoU) was signed on 30 January 2018. The purpose of the RAMS project is to assess the impacts of recreational disturbance to Natura 2000 sites across Essex, and identify the mitigation measures needed to avoid and offset the additional harm that is likely to arise due to significant proposed growth across the county. Within Rochford District, the Crouch and Roach Estuaries and Foulness Island are designated under Natura 2000 legislation. The ultimate aim of the project is to introduce a

Supplementary Planning Document (SPD) that will set a developer tariff on any residential development identified as having a likely impact on a Natura 2000 site and establishing a mechanism for the collection and spending of the tariff towards identified mitigation measures.

- 9.12 Officers from the Strategic Planning team sit on a steering group comprising Place Services, the 10 local authorities and Natural England, and offer input and feedback on drafts as they emerge. The SPD is estimated for completion in Winter 2018 when it will need to be considered by Members.

## **10 CONSULTATIONS**

- 10.1 As part of the Duty to Co-operate the team is required to engage with relevant statutory bodies on strategic, cross boundary issues. This includes effectively engaging with these bodies as well as responding to public consultations on policy matters. In 2017 and 2018, the team reviewed and responded to the following consultations:

- June 2016 - Castle Point Borough Council Local Plan Consultation
- October 2016 - Government Consultation on 'Proposed Changes to Neighbourhood Planning Regulations'
- November 2016 - Castle Point Borough Council's Draft Local Plan Examination
- December 2016 - Basildon Borough Council's Consultation on New & Alternative Sites
- December 2016 - London Mayors 'Draft Vision for the City' Consultation
- December 2016 - Southend Borough Council's 2016 Revised Proposed Submission Draft of the Southend Central Area Action Plan
- January 2017 - Essex County Council & Southend Borough Council's Consultation for Draft Waste Local Plan
- July 2017 - Chelmsford City Council's Local Plan Preferred Options Consultation
- July 2017 - Department for Communities and Local Government's Housing White Paper - Fixing Our Broken Housing Market Consultation
- September 2017 - London Borough of Havering's Planning Policy Consultation
- October 2017 - Department for Communities and Local Government's Consultation on 'Planning for the Right Homes in the Right Places' (September 2017)

- March 2018 - Brentwood Borough Council's Preferred Site Allocations Consultation 2018
- April 2018 – ASELA response to Ministry for Housing, Communities and Local Government's consultation on changes to the NPPF

10.2 Looking ahead, the team will be considering responding to consultations from neighbouring authorities including Castle Point Borough Council's re-consultation on the contents of 2014 and 2016 Draft Plans, which closes on 15 August, as well as draft plans from the other four South Essex authorities.

## **11 RISK IMPLICATIONS**

11.1 The team fulfils a critical strategic role in planning for the future growth of the district and ensuring that the Council's statutory plan-making functions are advanced in a timely manner. This is critical, given that the Government is taking an increasing interest in how efficiently and effectively Councils are not only reviewing, but preparing, Local Plans.

11.2 15 Councils across the country received intervention letters from the Ministry of Housing, Communities and Local Government (MHCLG)<sup>1</sup>, as they have persistently failed to adopt an up-to-date Local Plan for their areas. Three Councils in South Essex (Basildon, Brentwood and Castle Point) received these letters. Given that Basildon and Brentwood had made some plan-making progress between November 2017 and March 2018, the Secretary of State concluded that he would continue to closely monitor their progress, hold them to account and will use his delegated powers to ensure a plan is in place in a timely manner.

11.3 However, in the Secretary of State's March 2018 letter to Castle Point Borough Council, he has decided to continue with the intervention process and has advised that:-

"This will involve a team of experts, led by the Chief Planner, providing me with further advice on next steps. My officials will be in contact with your officers to discuss the next steps.

My officials will also begin formal discussions on the options of inviting Essex County Council to prepare a Local Plan for Castle Point and with the neighbouring authorities on the possibility of directing an accelerated Joint Plan, as part of considering whether to use my statutory powers and if so which ones."

11.4 It is important, therefore, that the Council continues to work jointly and proactively with other authorities in South Essex to address cross-boundary

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<sup>1</sup> <https://www.gov.uk/government/publications/local-plan-intervention-letters-to-councils>



issues. A timetable to deliver a Joint Strategic Plan has been included in the Council's LDS 2018-2021 (adopted 17 July 2018).

**12 CRIME AND DISORDER IMPLICATIONS**

12.1 None.

**13 ENVIRONMENTAL IMPLICATIONS**

13.1 Policies within emerging plans – whether at the local or strategic level –could have environmental implications particularly if new development is proposed.. Any environmental implications will need to be considered at each stage of plan making; such consideration will be informed by Sustainability Appraisal to ensure the most sustainable options are identified.

**14 RESOURCE IMPLICATIONS**

14.1 The Strategic Planning and Economic Regeneration team currently comprises two planners – a Team Leader and a Senior Strategic Planner (as well as a current vacant Planner post). The Team Leader is also responsible for a Regeneration Officer and two part time Economic Development Officers. It is likely that there will be an increasing burden on the team's planners to support strategic planning at the South Essex level, in addition to ongoing local level plan-making commitments.

14.2 The Senior Strategic Planner position was recently filled by the team's Planner, creating a further vacancy within the team as mentioned previously. The Team Leader is working with the Assistant Director to continue to increase the capacity of the team in order to fulfil the team's statutory plan-making functions, and protect the district's social, environmental and economic interests.

14.3 The team's work programme, publication of the revised NPPF and any potential legislative changes would likely have a number of resource implications (both time and cost). The Council has committed to a timetable for the preparation of its new Local Plan (and CIL), and the South Essex Joint Strategic Plan through the adoption of the LDS 2018-2021 on 17 July 2018.

14.4 The anticipated costs of delivering the new Local Plan and CIL are to be met from investments in the existing budget provision. However, this will need to be subject to review through the next budget cycle as the implications of the team's increasing responsibilities and workload become apparent.

14.5 To support the delivery of a Joint Strategic Plan for South Essex, the six South Essex authorities and Essex County Council successfully bid for £871,000 from the Government through the Planning Delivery Fund (announced in the housing White Paper). It is anticipated that there will be further opportunities to bid for monetary support from the Planning Delivery Fund. However, should the bid be unsuccessful, provision may need to be

made from within existing budget provisions to continue to support its delivery, given the Secretary of State's discretion to use his intervention powers to accelerate plan-making.

- 14.6 Enabling a robust local planning framework will facilitate delivery of sustainable growth in the district. The planning system directly contributes income to the Council through Section 106 agreements, CIL (with the intention to bring this forward alongside the new Local Plan) and the New Homes Bonus to enable infrastructure and service delivery district-wide.

## **15 LEGAL IMPLICATIONS**

- 15.1 The Council is required to prepare a Local Plan under Section 17(3) of the Planning and Compulsory Purchase Act 2004 in order to set out its policies relating to the development and use of land in its area. Section 13 of this Act requires the Council to keep under review matters which may affect the development of its area. Section 17(6) of the Act also requires the Council to keep under review its Local Plan in light of any review of its policies.
- 15.2 Other sections of the Planning and Compulsory Purchase Act 2004, and Town and Country Planning (Local Planning) (England) Regulations 2012 provide the legal basis for the current plan-making system. These are supported by the recently revised National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG).
- 15.3 The Secretary of State has powers to intervene in plan-making under to Section 27 of Planning and Compulsory Purchase Act 2004 where he considers a Council to be failing or omitting to do anything necessary in connection with the preparation, revision or adoption of a planning policy document. He may prepare or revise a plan or direct that the Council or another do so.
- 15.4 Furthermore the Localism Act 2011 requires Rochford District Council to co-operate and work with other prescribed bodies as part of the Duty to Co-operate on strategic cross boundary issues. Such issues include, amongst other matters, planning for new homes and jobs, infrastructure (such as utilities, schools and healthcare), open spaces and roads.

## **16 PARISH IMPLICATIONS**

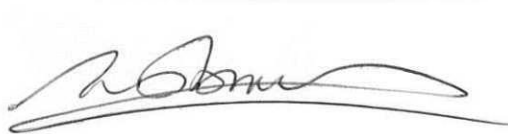
- 16.1 None.

## **17 EQUALITY AND DIVERSITY IMPLICATIONS**

- 17.1 An Equality Impact Assessment has not been completed as no decision is being made.

**18 RECOMMENDATION**

- 18.1 It is proposed that the Sub-Committee **RESOLVES** to note the Strategic Planning team's responsibilities and delivery of key work streams, subject to resource constraints.



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**Background Papers:-**

None.

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